

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA)	
)	
v.)	Criminal Case No. 13-CR-_____
)	
JOHNATHON IRISH,)	
)	
Defendant.)	
_____)	

INDICTMENT

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 2, 922(a)(6), 924(a)(2) – Aiding and Abetting the Making of a Material False Statement in Connection with the Acquisition of a Firearm]

On or about September 21, 2013, in the District of New Hampshire, the defendant,

JOHNATHON IRISH,

did knowingly, intentionally, and unlawfully aid and abet the making of a material false statement in connection with the acquisition of a firearm, that is a Matrix Aerospace Corp. model MA-15 assault rifle lower receiver with serial number 55601791, from Riley's Sport Shop, Inc. of 1575 Hooksett Road in Hooksett, New Hampshire, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code. To wit, the defendant did aid and abet an individual to knowingly make a false and fictitious written statement to Riley's Sport Shop, which statement was intended and likely to deceive Riley's Sport Shop as to a fact material to the lawfulness of such sale of the said firearm under Chapter 44 of Title 18, in that the individual, at **IRISH's** request, represented on the ATF Form 4473 that she was the actual

transferee/buyer of the firearm when, in fact, **JOHNATHON IRISH** was the actual transferee/buyer of the firearm.

In violation of Title 18, United States Code, Sections 2, 922(a)(6), and 924(a)(2).

The Grand Jury also charges:

COUNT TWO

[18 U.S.C. § 1001 – Making a Material False Statement to a Federal Agent]

On or about February 28, 2013, in the District of New Hampshire, the defendant,

JOHNATHON IRISH,

did willfully and knowingly make and cause to be made a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of a department or agency of the United States, by telling Special Agent Philip Christiana of the Federal Bureau of Investigation, during a federal investigation into the defendant's firearms activities, that he had sold all of his firearms to a friend. The statement and representation was false because, as **JOHNATHON IRISH** then and there knew, he had not sold any of the firearms about which Special Agent Christiana was inquiring.

In violation of Title 18, United States Code, Section 1001.

The Grand Jury also charges:

COUNT THREE

[18 U.S.C. § 1001 – Making a Material False Statement to a Federal Agent]

On or about November 26, 2013, in the District of New Hampshire, the defendant,

JOHNATHON IRISH,

did willfully and knowingly make and cause to be made a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of a department or agency of the United States, by telling Special Agent Philip Christiana of the Federal Bureau of Investigation, during a federal investigation into the defendant's firearms activities, that he had, both before and after three firearms purchases from Charlie Company Armory in Chichester, New Hampshire, on December 9, 2012, December 29, 2012, and January 5, 2013, discussed the legality of those purchases, in detail, with the proprietor of Charlie Company Armory, hereafter "M.A.," to ensure that they were legal and did not violate Title 18, United States Code, Section 922(a)(6). The statement and representation was false because, as **JOHNATHON IRISH** then and there knew, he did not discuss the legality of those firearms purchases with M.A., or enquire of M.A. as to whether those purchases in fact violated Title 18, United States Code, Section 922(a)(6).

In violation of Title 18, United States Code, Section 1001.

The Grand Jury also charges:

COUNT FOUR

[18 U.S.C. § 922(a)(1)(A) – Engaging in the Business of Dealing in Firearms Without a Federal Firearms License]

Between on or about September 1, 2012, and on or about October 5, 2013, the defendant,

JOHNATHON IRISH,

not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms.

In violation of Title 18, United States Code, Section 922(a)(1)(A).

The Grand Jury also charges:

COUNT FIVE

[18 U.S.C. § 922(g)(3) – Possessing a Firearm as a Regular User of a Controlled Substance (Marihuana)]

Between on or about May 6, 2013, and November of 2013, in the District of New Hampshire, the defendant,

JOHNATHON IRISH,

then being a regular unlawful user of a controlled substance as defined by 21 U.S.C. § 802, specifically, marihuana, did knowingly possess in and affecting interstate commerce ammunition, that is eight Winchester .45 caliber rounds, nine Hornady .223 caliber rounds, and 178 Lake City .223 caliber rounds, as well as two firearms, that is, a Surplus Arms and Ammo LLC “Low 16” model assault rifle lower receiver with serial number SAA02953, and a Spikes Tactical assault rifle lower receiver with serial number SAR32967, said ammunition and firearms having been shipped and transported in interstate commerce.

In violation of Title 18, United States Code, Section 922(g)(3).

A TRUE BILL

Dated: December 18, 2013

/s/ Foreperson
FOREPERSON

JOHN P. KACAVAS
United States Attorney
District of New Hampshire

By: /s/ Nicholas Abramson
Nicholas Abramson
Assistant U.S. Attorney

